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Cont'd
- From the result set, find those contacts that are personal and create a new result set.
 - Order the new result set based on time since last meeting.
 - Select the maximum number of candidates with the longest time since last contact and add to the candidate list.
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In the Claims:

None

REMARKS

This amendment is in response to the Examiner's Office Action Dated 5/22/2002.

Reconsideration of this application is respectfully requested in view of the remarks that follow.

STATUS OF CLAIMS

Claims 1-37 are pending.

Claims 1-4, 8-17, 20-28, and 32-37 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Cameron et al. (U.S. Patent No. 5,737,726).

Claims 5-7, 18-19, and 29-31 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Cameron et al. (U.S. Patent No. 5,737,726), in view of Kennedy et al. (U.S. Patent No. 5,831,611).

In the Claims

OVERVIEW OF THE CLAIMED INVENTION

The present invention provides a system and method that helps a user maintain relationships with other people, i.e. business, professional, and personal contacts. With the system and method of the presently claimed invention, the user does not have to manually search through their contacts and determine whom it is they should contact. Rather, the system automatically searches through the user's contacts and chooses the contact they should get in touch with. The choice is based on criteria indicated by the user through user preferences. This criteria can be, for example, random selection, time since last contact; special dates, etc. The choice(s) made are then displayed to the user, preferably with an image of the person, to indicate that the user should contact the person. By automatically choosing a person to contact and displaying that choice to the user, the psychological and time hindrances to maintaining relationships are greatly reduced or overcome.

REJECTIONS UNDER 35 U.S.C. § 103(a)

The Examiner's rejection of independent claims 1, 14, and 26 under 35 U.S.C. § 103(a) based on the teaching of U.S. Patent No. 5,737,726 to Cameron et al. (Cameron) is believed to be improper. This is because (1) Cameron does not disclose each of the claim elements as stated in the Office Action dated 5/22/02; (2) it would not have been an obvious matter of design choice to include images in Cameron's system; and (3) Cameron does not suggest automatically selecting people to contact.

The Examiner states that Cameron discloses a number of elements involving "contacts." Cameron, however, does not disclose these elements because Cameron uses a different definition

of contacts than the present application. In Cameron, contacts are communications (e.g., fax, phone call, etc.) between a customer and the user of the customer contact management system. Col 7, lines 2-5. In the present application, contacts are people. While limitations can not be imported into the claims from the written description, the claims must be read in light of this description. The description of the present invention readily indicates (both explicitly and implicitly) that contacts are people. See, e.g., Page 2, line 13; Page 4, lines 15-16. Therefore, applicant does not believe it would be reasonable to interpret the term “contacts” in the present claims so broadly as to include communications. As a result, Cameron does not disclose this aspect of the present invention, meaning Cameron can not anticipate the claim elements that include contacts. At least for this reason, the claimed invention is not an obvious modification of Cameron. Thus, even if it would have been an obvious design choice to modify Cameron to display images, as the Examiner asserts, such a modification would not provide for the presently claimed invention.

It would not have been an obvious matter of design choice, however, to include images in the system of Cameron. Contrary to the Examiner’s assertion that the application does not disclose that the images are for a particular purpose, the application teaches that “[s]eeing the image reminds the user of how long it has been since [the user has] last met [the person].” Page 4, line 4. This benefit would not be present if Cameron was modified to include images. An image of a fax, for example, does not evoke the same psychological and emotional response that an image of a person would. As there would not be any expected benefit from including images, one of skill in the art would not incur the additional costs to store and display the images. Thus, typical engineering design practice would teach away from using images in Cameron because there would be an additional cost without any added benefit.

Moreover, Cameron's teachings do not even suggest a system that can automatically select people for a user to contact. Cameron only teaches a system for managing and retrieving information about communications between a customer and business, so as to provide better customer service. Managing information about communications between a customer and a business is not in the same field as automatically selecting a person to contact. Nor does it address the same problems. A system that automatically selects people to contact addresses the time and psychological hindrances to maintaining relationships, as opposed to the difficulties of providing good customer service at a reduced cost.

Regarding the remaining claims, applicant believes that their rejections are also improper, at least because they depend from and further limit one of independent claims 1, 14, or 26. However, applicant also notes that Cameron does not disclose many of the features claimed in the dependent claims, such as user preferences that define criteria for a search of potential contacts; or random vs. select search algorithm. Furthermore, applicant notes that Kennedy et al. (U.S. Patent No. 5,831,611) does not disclose the use of a time-based reference to start a search, as the Examiner asserts. For the foregoing reasons, it is believed that all of the rejections under § 103 are improper, and it is respectfully requested that they be withdrawn.

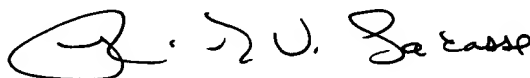
Summary:

As has been detailed above, none of the references, cited or applied, provide for the specific claimed details of applicants' presently claimed invention, nor renders them obvious. It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested. Formal drawings will be submitted upon receiving a notice of allowance.

As this amendment has been timely filed within the set period of response, no petition for extension of time or associated fee is required. However, the Commissioner is hereby authorized to charge any deficiencies in the fees provided to Deposit Account No. 09-0441.

If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact applicants' representative at the below number.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Randy W. Lacasse". The signature is stylized with a large, looped initial "R" and a cursive "Lacasse".

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APPENDIX A

Please amend the paragraph on page 8, lines 3-5 as follows:

Other algorithms could be used without departing from the scope of the present invention. A list of selected candidates is then stored in "Selected Candidates" –106, this information is then transferred to display module 116 which is used to build a "keep in touch" display 118 on user screen.

Please amend the paragraph starting on page 9, lines 22 to page 10, line 6 as follows:

- Find all contacts within the designated locale (e.g., San Jose) and create a result set. ~~(See SQL query below).~~
- From the result set, find those contacts that are personal and create a new result set. ~~(See SQL query below).~~
- Order the new result set based on time since last meeting.
- Select the maximum number of candidates with the longest time since last contact and add to the candidate list.